

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

JENNIFER GASPAR (CABN 266726)
Special Assistant United States Attorney
1301 Clay Street, Suite 340S
Oakland, CA 94612
Telephone: (510) 637-3680
Fax: (510) 637-3724
E-Mail: jennifer.gaspar@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JARIN DEONTA OLIVER,)
)
Defendant.)

No. CR11-00478 (LB)

~~PROPOSED~~ ORDER DETAINING
DEFENDANT PENDING TRIAL

I. DETENTION ORDER

Defendant Jarin Deonta Oliver is charged in a one-count indictment with being a Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. § 922(g). On August 26, 2011, the United States moved for the defendant's detention pursuant to 18 U.S.C. § 3142(f)(2)(A), and subsequently asked for a detention hearing pursuant to 18 U.S.C. § 3142(f). Following detention proceedings on August 31 and September 8, 2011, under 18 U.S.C. § 3142(f), and considering the parties' proffer and the factors set forth in section 3142(g), the Court finds that on this record no condition or combination of conditions in section 3142(c) will reasonably assure the defendant's appearance in this case. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v. Motamedi*, 767 F.2d 1403, 1406 (9th Cir. 1985).

1 At the hearing, the defendant submitted regarding the issue of detention but reserved his
2 right to present information at a future bail hearing should his circumstances change. *See* 18
3 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing to, with the assistance of
4 counsel, testify, present witnesses, cross-examine adverse witnesses, and present information by
5 proffer or otherwise).

6 III. CONCLUSION

7 The Court detains the defendant as a serious flight risk and because no condition, or
8 combination of conditions, could assure the defendant's appearance in this case, and orders that
9 time be excluded under the Speedy Trial Act as set forth above. Because the defendant waived
10 his right to present information under 18 U.S.C. § 3142(f) without prejudice to his raising any
11 relevant information at a later hearing, the Court orders that the hearing may be reopened at the
12 defendant's request at a future time.

13 The Court orders that the defendant be committed to the custody of the Attorney General
14 or a designated representative for confinement in a corrections facility separate, to the extent
15 practicable, from persons awaiting or serving sentences or held in custody pending appeal. *See*
16 18 U.S.C. § 3142(i)(2). The defendant must be afforded a reasonable opportunity to consult
17 privately with counsel. *See id.* § 3142(i)(3). On order of a court of the United States or on
18 request of an attorney for the United States, the person in charge of the corrections facility must
19 deliver the defendant to the United States Marshal for a court appearance. *See id.* § 3142(i)(4).

20 IT IS SO ORDERED.

21
22 DATED: September 12, 2011



23 LAUREL BEELER
24 United States Magistrate Judge
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